

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 7349**

**BILL NUMBER:** HB 1090

**NOTE PREPARED:** Jan 27, 2015

**BILL AMENDED:** Jan 27, 2015

**SUBJECT:** Expanded Criminal History Checks for Drivers for Hire.

**FIRST AUTHOR:** Rep. Hale

**FIRST SPONSOR:**

**BILL STATUS:** CR Adopted - 1<sup>st</sup> House

**FUNDS AFFECTED:** X GENERAL  
X DEDICATED  
FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** (Amended) The bill requires a transportation network company, a taxicab company, or a taxicab service to request and receive an expanded criminal history check and a certified copy of the driving record of a driver or taxicab driver before a driver begins employment or association with the company.

The bill makes it a Class A infraction for a company to allow a driver to operate a motor vehicle or taxicab if the driver has been convicted of: (1) certain felonies or misdemeanors; or (2) certain motor vehicle offenses. It makes it a Class A infraction for a driver to operate a motor vehicle or taxicab if the driver has been convicted of: (1) certain felonies or misdemeanors; or (2) certain motor vehicle offenses. It requires periodic updates of checks for a driver for continued employment or association with the company.

**Effective Date:** July 1, 2015.

**Explanation of State Expenditures:**

**Explanation of State Revenues:** *Penalty Provision:* The maximum judgment for a Class A infraction is \$10,000, which would be deposited in the state General Fund. However, any additional revenue is likely to be small.

**Additional Information:** A transportation network company is a company that uses an online platform to connect passengers with drivers who use their own personal vehicle, often known as ride sharing or ride sourcing. In Indiana, there are two major transportation network companies that operate primarily in the Indianapolis area. Both provide services between Indianapolis and Lafayette, and one also provides services

between Indianapolis and Bloomington.

Typically, expanded criminal history background checks are not performed by state or local authorities. Therefore, state and local governments may not receive revenue from background check fees from the bill.

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:** *Penalty Provision:* If additional court actions are filed and a judgment is entered, local governments would receive revenue from court fees. However, any additional revenue is likely to be small.

**State Agencies Affected:**

**Local Agencies Affected:** Trial courts, local law enforcement agencies.

**Information Sources:** Douglas Shinkle, NCSL, [douglas.shinkle@ncsl.org](mailto:douglas.shinkle@ncsl.org); Indiana State Police Limited Criminal History Search webpage, <http://www.in.gov/ai/appfiles/isp-lch/>.

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